

Application No. 10/772,991
Amendment "A" dated November 4, 2004
Reply to Office Action mailed September 15, 2004

REMARKS

Initially, Applicants would like to thank the Examiner for the courtesies extended during the recent interview held on October 13, 2004. The claim amendments made by this paper are consistent with the proposals discussed during the interview.

The first Office Action, mailed September 15, 2004, considered claims 1-22. Claims 1, 6 and 16 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 15 of U.S. Patent No. 6,745,245. This rejection is overcome by the filing of a terminal disclaimer with this paper for U.S. Patent No. 6,745,245.

Claims 16-22 were rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. However, as addressed during the interview, and as reflected in the interview summary, this rejection was improper and should be withdrawn.

Finally, claims 6, 7 and 9 were rejected under 35 U.S.C. § 102(e) as being anticipated by Apperson (U.S. Patent No. 5,978,484) and claims 8 and 10-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Apperson¹. These rejections are now moot, however, in view of the amendments that were discussed with the Examiner and that are made by this paper to claim 6, clarifying a previously inherent feature of the present invention². In particular, claim 6 now clarifies that the access control data structure that defines the permission for access to objects by scripts is independent of the scripts. Inasmuch as this clearly distinguishes the present invention over the art of record, as discussed during the interview and as suggested by the interview summary, Applicants respectfully submit that all of the pending claims are now in condition for prompt allowance.

The specification has also been amended to correct and complete missing application reference information, as discussed during the interview.

¹ Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art. In fact, it will be noted, with regard to Apperson, that Apperson qualifies as prior art, if at all, as 102 (c) prior art and Apperson was commonly assigned to Microsoft, the assignee of the present application at the time of the invention, such that Apperson cannot be used as prior art for any 35 U.S.C. 103 rejections to the present application.

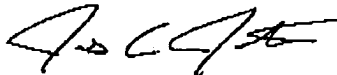
² It should be appreciated that the amendments made by this paper merely clarify a feature that was already inherent. In particular, the claims already implied the access control data structure was independent of the scripts because it was stored and described independently of the received script. Accordingly, the amendments made by this paper should be construed as mere clarifying amendments that do not narrow the intended scope of the claims.

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In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 4 day of October 2004.

Respectfully submitted,



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